

INITIAL STATEMENT OF REASONS

Business Code Section 7006 requires an astrologer complete at least three units of continuing education satisfactory to the board to as a condition for the renewal of a registration to practice astrology, however it does not define a unit of continuing education. Also, it does not specify the subject matter that the board considers to be satisfactory for continuing education purposes.

The proposed regulation specifies that six hours of classroom instruction are required to complete one unit of continuing education and specifies that an astrologer must complete one unit of continuing education in new developments in the practice of astrology, in ethical considerations in the practice of astrology, and in legal considerations in the practice of astrology.

The Legislature adopted the Astrologers License Law (Business Code sections 7000-7008) because it had found that some astrologers were providing the public with substandard astrological predictions and other services due to their failure to educate themselves on the continuing developments in the field of astrology, their questionable and unethical practices, and their lack of understanding of laws which affect astrology. The Legislature determined that it would be in the public interest to require registered astrologers to attend continuing education courses on an annual basis.

The purpose of these proposed regulations is to protect the consumers of astrological services by ensuring that registered astrologers remain competent in the practice of astrology and ensuring that registered astrologers are familiar with ethical and legal issues related to the practice of astrology.

The Board determined that six hours of continuing education annually in each required subject matter area for a total of eighteen hours annual would provide enough time to adequately cover each topic and significantly increase an astrologer's familiarity with new developments and ethical and legal issues in the field of astrology. The Board selected the ratio of six classroom hours for each unit of continuing education required in the statute because this ratio is comparable to the ratio of classroom hours to the number of units required for continuing education for tarot card readers whose licensing the Board also administers. For tarot card readers, the ratio is three hours of classroom instruction for each unit of continuing education required. Tarot card readers are required to take six units (eighteen classroom hours) of continuing education each year. The Board also

conducted a survey of astrologers who had completed continuing education astrology classes of 10 hours or more each year on a voluntary basis. Based on this survey, the Board discovered that astrologers who voluntarily attended continuing education classes had fewer complaints filed against them than astrologers who did not attend any continuing education courses.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

Except for the memorandum documenting the survey of astrologers who voluntarily completed continuing education courses dated June 30, 2008, the Board did not rely upon any other technical, theoretical, or empirical studies, reports or documents in proposing the adoption of this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE AGENCY'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the Board.

[If a regulation would mandate the use of specific technologies or equipment or prescribe specific actions or procedures, the agency must consider performance standards as an alternative to the prescriptive standards mandated by the regulations(s) and include a statement as to why the agency rejected the performance standards.]

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

The Board has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS.

The requirement that registered astrologers attend continuing education courses will affect small businesses because astrologers, who are small businesses, will incur the expense of attending continuing education courses. However, the Board has determined that the cost for continuing education would be minimal and

insignificant in light of the low tuition charged for similar courses and the number of units required each year. Therefore, the proposed regulations would not have a significant statewide adverse economic impact directly on astrologers.

*[AGENCY IS A DEPARTMENT, BOARD, OR COMMISSION
WITHIN THE ENVIRONMENTAL PROTECTION AGENCY, THE
RESOURCES AGENCY, OR THE OFFICE OF THE STATE FIRE
MARSHAL.*

*If the agency falls within one of the categories of agencies listed
above, then the agency must describe its efforts, in connection with a
proposed rulemaking action, to avoid unnecessary duplication or
conflicts with federal regulations contained in the Code of Federal
Regulations addressing the same issues. See Government Code
section 11346.2, subdivision (b)(6).]*